

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**ERIC ANTHONY NEPUTE,**  
individually, and as  
Owner of Quickwork LLC; and

**QUICKWORK LLC,**  
a limited liability company,  
also d/b/a WELLNESS WARRIOR,

Defendants.

Case No.: \_\_\_\_\_

**DECLARATION OF ROLAND AU**

1. I, Roland Au, hereby state that I have personal knowledge of the facts set forth below. If called as a witness, I could and would testify competently as follows:

2. I am a citizen of the United States over the age of 18.

3. I am an Honors Paralegal at the Federal Trade Commission ("FTC"). As an Honors Paralegal, my job functions include providing litigation and investigation support to Bureau of Consumer Protection attorneys and other staff involved in the litigation of FTC cases. Among other things, my job involves the undercover gathering of information, analysis of electronic discovery, organization of case materials, and writing of declarations.

***Defendants' Repeated Postings of the "Please Pay Attention" Video***

4. On September 24, 2020 and September 28, 2020, I visited Defendant Eric Nepute's Facebook page, [www.facebook.com/drericnepute/videos](https://www.facebook.com/drericnepute/videos), to identify repeat posts of the video saved as "2020-08-11\_Please Pay Attention 7-23-20.mp4" ("Please Pay Attention video") (transcribed at Complaint Exhibit B). To identify repeat posts of this video, I looked for videos in which Eric Nepute was wearing a black shirt and glasses, with a tree in the background. For each such video, I also reviewed a portion at the beginning and end of the video, as well as portions corresponding to the following excerpts in the certified transcript of the Please Pay Attention Video:

- a. 4:10-4:20;
- b. 6:12-6:25;
- c. 7:21-8:9;
- d. 9:1-9:9; and
- e. 17:25-19:1.

5. From this review, I determined that Defendants reposted the Please Pay Attention video 8 times. Attached as **Attachment 1** is a summary chart identifying the 8 posts that I reviewed, including the post title, date and time posted, video length, and number of views.

6. For each video post listed in Attachment 1, I reviewed the descriptions, comments, and link displayed in the video screen when the video was paused. Of the 8 posts:

- a. 4 included links to [myfreezinc.com](https://myfreezinc.com);
- b. 1 included a link to [wellnesswarrior.club](https://wellnesswarrior.club);
- c. 8 included links to [wellnesswarrior.deals](https://wellnesswarrior.deals);
- d. 7 included links to [ericnepute.com](https://ericnepute.com); and

- e. 6 included links to <https://bit.ly/3eOW117>. Each link followed the phrase “Learn the FACTS about Vitamin D & COVID . . .” on Nepute’s Facebook page. At the time I conducted this review, this link redirected users to a page entitled “Vitamin D & COVID Research” on the [www.wellnesswarrior.deals](http://www.wellnesswarrior.deals) website.

***Defendants’ Repeated Postings of the “COVID Vitamins and Supplements” Video***

7. Between September 30, 2020 and October 6, 2020, I visited [www.facebook.com/drericnepute/videos](http://www.facebook.com/drericnepute/videos) to identify repeat posts of the video saved as “2020-08-04\_COVID Vitamins and Supplements Video.mp4” (“COVID video”) (transcribed at Complaint Exhibit A). To identify repeat posts of this video, I looked for videos in which Nepute was sitting inside of a car wearing a gray hoodie sweatshirt and glasses. For each such video, I also reviewed a portion at the beginning and end of the video, as well as portions corresponding to the following excerpts in the certified transcript of the COVID video:

- a. 4:6-4:13;
- b. 6:20-7:1;
- c. 7:3-7:8;
- d. 11:19-12:5;
- e. 21:11-23:4;
- f. 26:21-28:21
- g. 32:6-33:5; and
- h. 33:9-33:18.

8. From this review, I determined that Defendants reposted the COVID video 54 times. Attached as **Attachment 2** is a summary chart identifying the 54 repeat posts, including the post title, date and time posted, video length, and number of views. Attachment 2 also

contains additional notes relating to my review of the videos, including whether the video content appeared to play consecutive times, and if so, how many, based on a review of the excerpts listed in Paragraph 7 above.

9. For each video post listed in Attachment 2, I also reviewed the post descriptions, comments, and the link displayed in the video screen when the video was paused. Of the 54 posts:

- a. 24 included links to myfreezinc.com;
- b. 7 included links to wellnesswarrior.club;
- c. 38 included links to wellnesswarrior.deals;
- d. 10 included links to nepute.chiroconnect.com;
- e. 39 included links to ericnepute.com; and
- f. 47 included links to <https://bit.ly/3eOW117>. Each link followed one of the following phrases on Nepute's Facebook page: "Learn the truth about Vitamin D and Covid @"; "See the Vitamin D & Covid research @"; "See the Vitamin D & Covid FACTS @"; or "See the Vitamin D & Covid research @."

***Defendants' Repeated Postings of the "Zinc Zinc Zinc" Video***

10. On October 8, 2020, I visited [www.facebook.com/dreicnepute/videos](https://www.facebook.com/dreicnepute/videos) to identify repeat posts of the video saved as "2020-08-11\_Zinc Zinc Zinc 8-4-20 Video.mp4" ("Zinc Zinc Zinc video") (transcribed at Complaint Exhibit I). To identify repeat posts, I looked for videos in which Eric Nepute was in an office setting, reaching towards the camera while wearing a black shirt, glasses, and ear phones. For each such video, I also reviewed a portion at the beginning and end of the video, as well as portions corresponding to the following excerpts in the certified transcript for the Zinc Zinc Zinc video:

- a. 4:15-4:24;
- b. 12:19-13:4;
- c. 13:7-13:15;
- d. 13:24-14:3;
- e. 14:14-14:22;
- f. 15:3-15:23;
- g. 16:9-16:20;
- h. 21:10-22:3; and
- i. 37:10-37:15.

11. From this review, I determined that Defendants reposted the Zinc Zinc Zinc video 13 times. Attached as **Attachment 3** is a summary chart identifying the 13 repeat posts, including the post title, date and time posted, video length, and number of views. Attachment 3 also contains additional notes relating to my review of the videos, including whether the video content appeared to play consecutive times, and if so, how many, based on a review of the excerpts listed in Paragraph 10 above.

12. For each video post listed in Attachment 3, I reviewed the post descriptions, comments, and the link displayed in the video screen when the video was paused. Of the 13 posts:

- a. 12 included links to myfreezinc.com;
- b. 1 included a link to wellnesswarrior.deals;
- c. 11 included links to nepute.chiroconnect.com;
- d. 9 included links to ericnepute.com; and

- e. I included a link to <https://bit.ly/3eOW117>. This link followed the phrase “Learn the truth about Vitamin D and Covid @ . . .” on Nepute’s Facebook page.

***Defendants’ Repeated Postings of the “POTUS” Video***

13. On October 14 and 20, 2020, I visited [www.facebook.com/drricnepute/videos](https://www.facebook.com/drricnepute/videos) to identify repeat posts of the video saved as “2020-10-5 POTUS RT Comments Video BJM.mp4” (“POTUS video”) (transcribed at Complaint Exhibit E). To identify repeat posts, I looked for videos in which Eric Nepute was outside, wearing a white baseball cap, black hoodie sweatshirt, glasses, and ear phones. For each such video, I also reviewed a portion at the beginning and end of the video, as well as portions corresponding to the following excerpts in the certified transcript of the POTUS video:

- a. 4:18-5:1;
- b. 6:9-6:20;
- c. 9:2-9:12;
- d. 11:4-11:8;
- e. 12:25-13:11;
- f. 14:17-15:1; and
- g. 23:7-23:15.

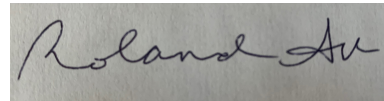
14. From this review, I determined that Defendants reposted the POTUS video 29 times. Attached as **Attachment 4** is a summary chart identifying the 29 repeat posts, including the post title, date and time posted, video length, and views. Attachment 4 also contains additional notes relating to my review of the videos, including whether the video content appeared to play consecutive times, and if so, how many, based on a review of the excerpts listed in Paragraph 13 above.

15. For each video post listed in Attachment 4, I reviewed the post descriptions, comments, and the link displayed in the video screen when the video was paused. Of the 29 posts:

- a. 24 included links to myfreezinc.com;
- b. 28 included links to nepute.chiroconnect.com; and
- c. 24 included links to ericnepute.com.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing statement is true and correct.

DATED: April 15, 2021

A rectangular box containing a handwritten signature in dark ink. The signature appears to read "Roland Au" in a cursive script.

Roland Au